EX PARTE OR LATE FILED

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FOR PUBLIC INSPECTION

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DEC - 7 2006

Federal Communications Commission
Office of the Secretary

VIA COURIER

EX PARTE

December 7, 2006

ORIGINAL

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *In the Matter of Petition of Qwest Communications International Inc. for Forbearance from Enforcement of the Commission's Dominant Carrier Rules As They Apply After Section 272 Sunset Pursuant To 47 U.S.C. § 160*, WC Docket No. 05-333
Request for Confidential Treatment

Dear Ms. Dortch:

Qwest Communications International Inc. ("Qwest") submits in the above-referenced proceeding an *ex parte* that contains confidential information. The *ex parte* with confidential information (that is, the non-redacted version) has been marked **"CONFIDENTIAL – NOT FOR PUBLIC INSPECTION"**. Qwest requests that the non-redacted, confidential version of the *ex parte* be withheld from public inspection.

In this proceeding, Qwest seeks forbearance from enforcement of the dominant carrier rules of the Federal Communications Commission ("Commission") as they apply after the sunset of Section 272. The *ex parte* discusses the September 29, 2006 report of the Commission on the status of competition in the provision of Commercial Mobile Radio Services. In addition, Qwest presents in the *ex parte* new evidence regarding competition and updates certain other information previously provided via its submissions in this docket.

Qwest is submitting the non-redacted version of its *ex parte* pursuant to both FCC rules 47 C.F.R. §§ 0.457 and 0.459. The confidential information included in this *ex parte* is competitively sensitive information and thus should not be available for public inspection. A release of this data would have a substantial negative competitive impact on Qwest. Pursuant to Commission rule, 47 C.F.R. § 0.459(b), Qwest provides justification for the confidential treatment of this information in the Appendix to this letter.

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Because it was not feasible to separate out the confidential and proprietary information, *see* 47 C.F.R. § 0.459(a), without destroying the integrated nature of the information presented, Qwest is also submitting today a redacted version of the *ex parte* under separate cover in WC Docket No. 05-333. In the redacted version, which is marked "**FOR PUBLIC INSPECTION**", the confidential information has been omitted. Please add the redacted version of the *ex parte* to the record for WC Docket No. 05-333. Both the redacted and non-redacted versions of the *ex parte* are being served on the below-identified Commission staff.

Should the Commission deny this request for confidentiality, then pursuant to Section 0.459(e), Qwest requests that the confidential information be returned.

If you have any questions concerning this submission, please call me on 303-383-6608.

Sincerely,

/s/ Timothy M. Boucher

Attachment

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APPENDIX

Confidentiality Justification

Qwest requests confidential treatment of the information being provided in its *ex parte* because this information is competitively sensitive and its disclosure would have a negative competitive impact on Qwest were it made publicly available. Such information should be afforded confidential treatment under both 47 C.F.R. § 0.457 and § 0.459.

47 C.F.R. § 0.457

Specific information in Tables 1 and 2 that are attached to the *ex parte*, as well as the references to this information within the text of the *ex parte*, is confidential and proprietary to Qwest as "commercial or financial information" under Section 0.457(d). Disclosure of such information to the public would risk revealing company-sensitive proprietary information in connection with Qwest's ongoing business plans and operations. Therefore, in the normal course of Commission practice this information should be considered "Records not routinely available for public inspection."

47 C.F.R. § 0.459

Specific information in Tables 1 and 2 that are attached to the *ex parte*, as well as the references to this information within the text of the *ex parte*, is also subject to protection under 47 C.F.R. § 0.459, as demonstrated below.

Information for which confidential treatment is sought

Qwest requests that specific information in Tables 1 and 2, along with the corresponding information referenced in the text of the *ex parte*, be treated on a confidential basis under Exemption 4 of the Freedom of Information Act. This information is competitively-sensitive data which Qwest maintains as confidential and is not normally made available to the public. Release of the information would have a substantial negative competitive impact on Qwest. The information was prepared by TNS Telecoms, a private research firm under contract to Qwest. The information includes proprietary estimates of revenue shares for interLATA services purchased by Enterprise and Small Business customers in Qwest's region and the nation as a whole. The confidential information is contained in the non-redacted version of Qwest's *ex parte* submission, which is marked with the following legend: **CONFIDENTIAL – NOT FOR PUBLIC INSPECTION**. In addition, as the originator of this information, TNS Telecoms has its own separate proprietary interest in its protection.

Commission proceeding in which the information was submitted

The information is being submitted in WC Docket No. 05-333, *In the Matter of Petition of Qwest Communications International Inc. for Forbearance from Enforcement of the Commission's Dominant Carrier Rules As They Apply After Section 272 Sunset Pursuant To 47 U.S.C. § 160.*

Degree to which the information in question is commercial or financial, or contains a trade secret or is privileged

The financial information designated as confidential is detailed confidential commercial information in the form of proprietary estimates of revenue shares for interLATA services purchased by Enterprise and Small Business customers in Qwest's region and the nation as a whole. As noted above, the data is competitively sensitive information which is not normally released to the public as such release would have a substantial negative competitive impact on Qwest.

Degree to which the information concerns a service that is subject to competition; and manner in which disclosure of the information could result in substantial competitive harm

This type of commercial information would generally not be subject to routine public inspection under the Commission's rules (47 C.F.R. § 0.457(d)), demonstrating that the Commission already anticipates that the release of this kind of information likely would produce competitive harm. Revenue share data for interLATA services, both for the Enterprise and Small Business markets, is highly confidential. Qwest confirms that release of its confidential and proprietary information would cause it competitive harm by allowing its competitors to become aware of sensitive proprietary information regarding the operation of Qwest's business. In addition, as indicated above, as the originator of the information, TNS Telecoms has its own distinct proprietary interest in it and TNS Telecoms would be subject to economic harm if the confidential information were disclosed (without the protection afforded by a protective order) to other similar firms that could factor it into the production of their own intellectual output.

Measures taken by Qwest to prevent unauthorized disclosure; and availability of the information to the public and extent of any previous disclosure of the information to third parties

Qwest has treated and treats the information disclosed in its non-redacted *ex parte* as confidential and has protected it from public disclosure to parties outside of the company. Qwest has a contract with TNS Telecoms that limits its use of this confidential information.

Justification of the period during which Qwest asserts that the material should not be available for public disclosure

Qwest cannot determine at this time any date on which this information should not be considered confidential or would become stale for purposes of the current inquiry, except that the information would be handled in conformity with general Qwest records retention policies, absent any continuing legal hold on the data.

Other information that Qwest believes may be useful in assessing whether its request for confidentiality should be granted

Under applicable Commission and court rulings, the information in question should be withheld from public disclosure. Exemption 4 of the Freedom of Information Act shields information that is (1) commercial or financial in nature; (2) obtained from a person outside government; and (3) privileged or confidential. The information in question satisfies this test.

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December 7, 2006

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
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Re: *In the Matter of Petition of Qwest Communications International Inc. for Forbearance from Enforcement of the Commission's Dominant Carrier Rules As They Apply After Section 272 Sunset Pursuant To 47 U.S.C. § 160*, WC Docket No. 05-333

Dear Ms. Dortch:

On November 22, 2005, Qwest Communications International Inc. ("Qwest") filed a forbearance petition in the above-captioned proceeding requesting that the Federal Communications Commission ("Commission") forbear from enforcing its dominant carrier rules with respect to Qwest in the provision of in-region interstate interexchange services ("in-region-IXC services")[1] post sunset of Section 272 requirements, whether these services are provided by Qwest Corporation ("QC"), Qwest's incumbent local exchange carrier ("ILEC"), on an integrated basis or separately through some other Qwest affiliate that is not complying with the full array of the Commission's Section 272 rules in existence prior to sunset ("non-Section 272

[1] This *ex parte* presentation uses the term "in-region IXC services" to refer generally to all Qwest interexchange services that may originate in a Qwest state and terminate at a location either in another state or outside the United States and the term "IXC services" refers generally to all interexchange services that may originate in any state and terminate at a location either in another state or outside the United States.

affiliate").[2] Qwest, in its petition and other written filings in this docket, presented substantial evidence showing that Qwest faces formidable competition both in the provision of in-region IXC services as well as in the provision of local exchange service and exchange access service[3] in its in-region states.[4] Specifically, Qwest demonstrated that business and residential consumers in those states are able to, and do, subscribe to a wide variety of other providers of IXC services, including both wireless and wireline and including telecommunications carriers as well as non-carriers.[5] Thus, there is no plausible basis for a claim that Qwest could successfully raise prices for its in-region IXC services by unilaterally restricting its output. Customers would simply switch to one of scores of other providers. Qwest similarly showed in prior filings that exchange access service or its equivalent is available from a number of different wireline and wireless providers in its in-region territories.[6] Therefore, Qwest could not achieve an

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[2] *See* Petition for Forbearance of Qwest, filed on Nov. 22, 2005 (corrected version of Petition filed on Nov. 30, 2005) ("Qwest Nov. 22, 2005 Petition").

[3] Qwest does not believe that it is necessary to demonstrate that the market for local exchange or exchange access service is competitive or that Qwest lacks market power in the provision of those services in order for the Commission to find that dominant carrier regulation of in-region IXC services is unnecessary and that forbearance is consistent with the public interest. Evidence of local exchange/exchange access competition simply demonstrates that there are a number of competitive options for originating and terminating in-region IXC communications and that Qwest's local exchange service is not the only means of reaching IXC service providers and of IXC service providers reaching end users. This evidence thus eliminates any concern that local exchange/exchange access facilities represent a bottleneck that must be weighed in determining Qwest's market power with respect to in-region IXC services. In any event, even assuming *arguendo* that Qwest had market power with respect to local exchange and/or exchange access facilities, this is not a reason for denying Qwest's petition since, among other things, local exchange and exchange access services are provided on a dominant carrier basis under tariff and, as a Bell Operating Company ("BOC") and local exchange carrier, Qwest remains subject to Section 251's interconnection obligations and Section 272(e)'s non-discrimination requirements.

[4] *See* Qwest Nov. 22, 2005 Petition at 7-12 and appended Declaration of David L. Teitzel ("Teitzel Declaration"); Reply of Qwest, WC Docket No. 05-333, filed on Feb. 22, 2006, at 12-15 ("Qwest Feb. 22, 2006 Reply"). *See also* Qwest Comments, WC Docket No. 02-112 and CC Docket No. 00-175, filed June 30, 2003, Declaration of Carlton, Sider and Shampine at 5-6, 8-26; Qwest Reply Comments, WC Docket No. 02-112 and CC Docket No. 00-175, filed July 28, 2003, Reply Declaration of Carlton, Sider and Shampine at 13-20 (complete copies of the Declaration and Reply Declaration, respectively, are attached to the separate *ex parte* being filed by Qwest on December 7, 2006 in the above-captioned docket and WC Docket No. 02-112 and CC Docket No. 00-175).

[5] *Id.*

[6] *See* Qwest Nov. 22, 2005 Petition at 7-9 and Teitzel Declaration at 2-17. Again, there are a number of competitive options for originating and terminating in-region IXC communications

anticompetitive advantage in the provision of in-region IXC services by seeking to raise the exchange access costs of its rival providers of IXC services.[7] Further, even assuming *arguendo* the Commission were to disagree with Qwest's assessment of competition in the exchange access marketplace, Qwest's obligation to offer interstate exchange access service on a non-discriminatory basis at tariffed rates that are capped by the Commission's current pricing regulations plainly precludes it from unilaterally raising the access costs of its in-region long distance competitors.[8]

The record in this proceeding, thus, fully supports a grant of the relief that Qwest has requested: Qwest should be allowed to offer in-region IXC services on an integrated basis or through a non-section 272 affiliate without subjecting those services to dominant carrier regulation. The primary purpose of this written *ex parte* is to update the record to reflect information contained in the Commission's recent report on Commercial Mobile Radio Services

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and Qwest's local exchange service/exchange access is not the only means of reaching IXC service providers and of IXC service providers reaching end users.

[7] The Commission has defined market power as the ability of a carrier to unilaterally raise and sustain price above a competitive level by restricting output. *See In the Matter of Regulatory Treatment of LEC Provision of Interexchange Services Originating in the LEC's Local Exchange Area and Policy and Rules Concerning the Interstate, Interexchange Marketplace*, Second Report and Order in CC Docket No. 96-149 and Third Report and Order in CC Docket No. 96-61, 12 FCC Rcd 15756, 15762-63 ¶ 6, 15765-66 ¶ 11 (1997) ("*LEC Classification Order*"). *Also see, In the Matter of Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations Therefor*, CC Docket No. 79-252, Fourth Report and Order, 95 FCC 2d 554, 558 ¶ 7 (1983). The Commission's analytical framework for determining market power is based on the Department of Justice's Horizontal Merger Guidelines. The Commission, in looking at market power, has sometimes also discussed the ability to raise rivals' costs through the control of an essential input. For the reasons discussed in its petition and this submission, Qwest lacks the ability to engage in either practice and, consequently, neither concern provides a basis for denying Qwest's requested relief.

[8] Although providers of IXC service in Qwest's region use Qwest's exchange access service to originate or terminate traffic, those services are subject to the Commission's dominant carrier regulations at the interstate level and similarly comprehensive controls at the state level and will remain so if the relief Qwest has requested in this proceeding is granted. Further, Qwest has very limited control over the prices and terms and conditions of how access services are provided. These services are subject to dominant carrier regulation at both state and federal levels, including interstate price cap regulation, and, as a BOC, Qwest is subject to the nondiscrimination provisions of Section 272(e) of the Act which will remain in effect after sunset. As such, it is highly unlikely that Qwest would be able to raise the price of in-region IXC services above a competitive level by raising competitors' access costs. Furthermore, any attempt to do so by Qwest or any other ILEC should be obvious to both competitors and regulators.

("CMRS" or "wireless") competition[9] and to reflect other information regarding the state of competition in Qwest's in-region service areas.[10]

I. COMPETITION IN THE RELEVANT MARKET

A. The IXC Services Market, Generally

As noted, the record in this proceeding shows that Qwest does not have market power in the provision of IXC services, regardless of whether the geographic market for such services is deemed to be regional or nationwide. This conclusion is consistent with prior Commission decisions that have found repeatedly that the provision of IXC services is effectively competitive.[11] Further, it is the only possible conclusion one could reasonably draw from the evidence provided by Qwest regarding the ongoing decline in prices for IXC services, the high elasticities of demand and supply for IXC services, and the low barriers to entry.[12] Qwest also provided evidence that documents the continuing migration of toll traffic to wireless, cable and Voice over Internet Protocol ("VoIP") services.[13] The Commission's long distance statistics show that average residential monthly minutes of use ("MOUs") decreased from 71 to 41 MOUs during the period from 1995 through 2002, a decline of 43 percent.[14] More recent Commission

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[9] *In the Matter of Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services*, Eleventh Report, 21 FCC Rcd 10947 (2006) ("*CMRS Report*").

[10] All of the evidence presented regarding competition applies with equal force to the provision of both in-region domestic as well as in-region international IXC services.

[11] *See, e.g., In the Matter of Policy and Rules Concerning the Interstate, Interexchange Marketplace*, CC Docket No. 96-61, Report and Order, 16 FCC Rcd 7418, 7430 ¶ 22, 7431 ¶ 23 (2001); *In the Matter of Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905, 21910 ¶ 6 (1996); *see also In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Recommended Decision, 18 FCC Rcd 2943, 2973 ¶ 79 (2002). *And see also In the Matter of Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934, as amended*, CC Docket No. 96-61, Second Order on Reconsideration and Erratum, 14 FCC Rcd 6004, 6006 ¶ 2, 6008 ¶ 6, 6014 ¶ 16 (1999), wherein the Commission describes the growth in competition in the interstate, interexchange market over the decades.

[12] These issues were addressed in detail in Qwest's prior filings. *See* Qwest Nov. 22, 2005 Petition at 9-12 and Qwest Feb. 22, 2006 Reply at 12-15.

[13] *Id.*

[14] *See* Qwest Comments, WC Docket No. 02-112 and CC Docket No. 00-175, filed June 30, 2003, Carlton Declaration at 19-20 citing the Commission's "Statistics of the Long Distance Telecommunications Industry" (incorporated into this docket in Qwest's prior submissions).

long distance statistics demonstrate that this trend has continued. For example, Commission data show that ILEC originating toll calls declined from approximately 106 billion messages in 2000 to 82.4 billion messages in 2004 -- a decline of 22%.[15] No party has challenged Qwest's unequivocal demonstration of competition in the relevant market. Nor could they.

Qwest has also previously demonstrated that the appropriate geographic market for determining whether Qwest has market power in the provision of in-region IXC services is the nation as a whole.[16] However, Qwest has also included data for Qwest's region to address any concern that the relevant geographic market is a regional market rather than a national market. Qwest believes that the relevant product market for evaluating Qwest's petition is all in-region[17] IXC services for which there are no close substitutes.[18] Qwest also believes that wireless and

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[15] Federal Communications Commission, Statistics of Communications Common Carriers, 2004/2005 Edition, Table 4.10, November 7, 2005.

[16] *See* Qwest Nov. 22, 2005 Petition at 7-12 and Teitzel Declaration at 12-17; Qwest Feb. 22, 2006 Reply at 12-15. *See also* Qwest Comments, WC Docket No. 02-112 and CC Docket No. 00-175, filed June 30, 2003, Declaration of Carlton, Sider and Shampine at 8-26; Qwest Reply Comments, WC Docket No. 02-112 and CC Docket No. 00-175, filed July 28, 2003, Reply Declaration of Carlton, Sider and Shampine at 13-20. Qwest recognizes that its position differs somewhat from the Commission's approach in the *LEC Classification Order*. In that *Order*, for purposes of defining the geographic market for its market power analysis, the Commission aggregated all possible routes that allow for a connection from one location to another (*i.e.*, "point-to-point" markets) and then used aggregate data to analyze all point-to-point markets in the relevant area. The Commission reached a similar conclusion with respect to international services. Specifically, with respect to domestic services, the Commission used aggregate data since it concluded that, as a group, point-to-point markets exhibited similar competitive characteristics as a result of geographic rate averaging, price regulation of access services and excess interstate transport capacity. However, the Commission also concluded that it should examine point-to-point markets that originate in-region separately from those that originate out-of-region in evaluating whether BOC Section 272 affiliates had market power in the provision of in-region interLATA services. *See LEC Classification Order*, 12 FCC Rcd at 15761-62 ¶ 5, 15792-95 ¶¶ 64-69, 15798-800 ¶¶ 74-78. Thus, the Commission took a bifurcated approach and examined both national and regional data. Qwest also believes it has demonstrated that its petition should be granted even if the Commission determines that it should examine the in-region market separately.

[17] Again, Qwest believes the relevant geographic market is the national market for IXC services. However, Qwest's petition only addresses in-region services because Qwest is already classified as a non-dominant provider of out-of-region services.

[18] This approach is consistent with the Commission's findings in the *LEC Classification Order* where the Commission "conclude[d] that we [it] should define as a relevant product market any interstate, domestic, long distance service for which there are no close substitutes, or a group of services that are close demand substitutes for each other, but for which there are no other close demand substitutes." [Footnotes omitted.] *Id.* at 15762 ¶ 5. In the Commission's own parlance,

cable/VoIP services are close substitutes for most Qwest in-region IXC services and must be included in any analysis of market power. Qwest is confident that any analysis that the Commission chooses to perform of the market for in-region IXC services will show that Qwest does not have market power in the provision of these services.

The following data provide further evidence of the intense competition that Qwest faces in the provision of in-region IXC services, regardless of whether the relevant geographic market is defined on a nationwide or regional basis.

B. Wireless Competition

The Commission's *CMRS Report* contains additional new evidence that supports the grant of Qwest's petition. Briefly stated, the *CMRS Report* confirms Qwest's prior showing in this proceeding that CMRS users continue to substitute wireless toll usage for the traditional IXC services that Qwest offers.[19] The *CMRS Report* also demonstrates that wireless users increasingly are "cutting the cord," eliminating entirely their use of wireline services for local as well as long distance service. These documented trends provide additional persuasive evidence that Qwest does not wield market power in the provision of in-region IXC services.

The Commission's *CMRS Report* contains an extensive discussion and analysis of wireless competition and concludes that "the CMRS marketplace is effectively competitive."[20] In addition to providing a foundation for this legal conclusion, the report also provides a thorough description of the pervasive competition that Qwest faces from wireless providers in the provision of both IXC and local exchange services. This evidence only confirms Qwest's

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IXC services are thus a group of services that are close demand substitutes for each other, but for which there are no other close demand substitutes. In the *LEC Classification Order*, the Commission also concluded that it was not necessary to examine individual services. "[I]n assessing the market power of BOC interLATA affiliates and independent LECs in the provision of domestic, interstate, long distance services, we find it appropriate at this time to evaluate their market power with respect to all interstate domestic, long distance services, rather than conducting a separate analysis of each individual service." *Id.* at 15786 ¶ 50.

[19] As the Commission noted in its *CMRS Report* in citing the Echostar *Hearing Designation Order*, "[W]hen one product is a reasonable substitute for the other in the eyes of consumers, it is to be included in the relevant product market even though the products themselves are not identical." *CMRS Report*, 21 FCC Rcd at 10950-51 ¶ 5 n. 4, citing 17 FCC Rcd 20559, 20606 (2002). In discussing mass market long distance services in the context of the AT&T/SBC merger the Commission recognized that wireless service is a substitute for landline long distance services and "acknowledge[d] that mobile wireless services are in the relevant product market at least to some extent." *In the Matter of SBC Communications Inc. and AT&T Corp. Applications for Approval of Transfer of Control*, Memorandum Opinion and Order, 20 FCC Rcd 18290, 18342-43 ¶¶ 92-93 (2005) ("*SBC/AT&T Merger Order*").

[20] *CMRS Report*, 21 FCC Rcd at 11030-31 ¶ 216.

prior showing that the Commission should consider wireless competition in making any decision on Qwest's forbearance petition. In addition, Table 3, *infra*, provides FCC data on the substantial growth of mobile wireless telephone subscribers in Qwest's region from 12 million in June of 2000 and to 25.4 million in December of 2005 -- an increase of more than 110%. CMRS providers directly compete with Qwest in the provision of both IXC and local exchange services and must be considered in making a determination on Qwest's petition for relief from dominant carrier regulation of IXC services. In view of the Commission's finding that the provision of CMRS is "effectively competitive" and the substantial evidence of the ongoing migration of toll minutes and local customers to CMRS providers, it would be difficult, to say the least, to find that Qwest has market power in the provision of long distance voice services and other in-region IXC services that directly compete with CMRS service offerings.[21] The evidence clearly indicates that consumers increasingly view wireless and landline telecommunications services as close substitutes[22] -- regardless of the fact that wireline and wireless providers employ different technology to provision service.[23]

The *CMRS Report* contains a large amount of information on the pervasiveness of wireless competition facing ILECs. The Commission cites to the fact that "98 percent of the total U.S. population lives in counties with access to three or more different [facilities-based]

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[21] Qwest's only involvement in the wireless market is through the resale of Sprint Nextel service.

[22] In commenting on the significant changes in the competitive landscape in the time period from the adoption of the *LEC Classification Order* in 1997 until the release of its *Further Notice of Proposed Rulemaking* in the LEC Nondominant proceeding in May 2003, the Commission noted, among other things, the existence of "limited, but increasing, substitution of mobile wireless service for traditional wireline service, particularly for interstate calls." [Footnotes omitted.] *See In the Matter of Section 272(f)(1) Sunset of the BOC Separate Affiliate and Related Requirements, 2000 Biennial Regulatory Review Separate Affiliate Requirements of Section 64.1903 of the Commission's Rules*, Further Notice of Proposed Rulemaking, 18 FCC Rcd 10914, 10918-19 ¶ 8 ("*LEC Nondominant FNPRM*"), citing to the Universal Service *Report and Order and Second Further Notice of Proposed Rulemaking*, 17 FCC Rcd 24952, 24965 ¶ 21 (2002) and the Sixth Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services, 16 FCC Rcd 13350, 13381-83 (2001).

[23] The Competitive Enterprise Institute submitted the attached study by Stephen B. Pociask addressing this issue in the Commission's proceedings in connection with the SBC/AT&T and Verizon/MCI mergers. *See ex parte* letter from Braden Cox, Competitive Enterprise Institute, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 05-65 and 05-75, filed electronically, May 11, 2005 which submitted Mr. Pociask's study, "Wireless Substitution and Competition: Different Technology But Similar Service – Redefining the Role of Telecommunications Regulation." Mr. Pociask's study finds "convincing empirical evidence that wireless services are strong substitutes for wireline services" and "overwhelming evidence shows that wireless services are replacing wireline services." *See* Attachment A at Executive Summary.

operators offering mobile telephone service[.]"[24] *Furthermore, wireless subscribership increased* to 213 million at the end of 2005 with a nationwide penetration rate of 71 percent of the population.[25] "In the last three years alone, the total mobile telephone subscriber base has increased 50 percent."[26] Also, wireless subscribers are using their phones more frequently with average MOUs per subscriber per month increasing from 584 in 2004 to 740 MOUs in the second half of 2005.[27]

In addition to showing that there are multiple wireless competitors and significant subscribership levels in virtually all counties of any size in the U.S., the *CMRS Report* also cites to evidence that price competition is robust. "The Cellular CPI has declined 35 percent since December 1997, when BLS began tracking it"[28] and "[I]n the eleven years since 1994, RPM [revenue per minute] has fallen from $0.47 in December 1994 to $0.07 in December 2005, a decline of 86 percent."[29] The Commission also notes that recent price declines have been significant.[30] Furthermore, most customers do not incur long distance charges since "all of the nationwide operators offer some version of a national rate pricing plan in which customers can purchase a bucket of minutes to use on a nationwide or nearly nationwide network without incurring roaming or long-distance charges."[31]

In the face of such pervasive price competition, it should be self-evident that Qwest has no market power in the provision of IXC services and could not successfully raise prices by unilaterally restricting output, regardless of whether IXC services are provided by Qwest on an integrated basis out of its LEC or through a non-Section 272 affiliate.

Lastly, total wireless substitution ("cutting the cord") continues to grow and has displaced a growing number of both primary landlines and second lines.[32] The availability of local number portability ("LNP") has simplified the process for customers who wish to substitute

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[24] *CMRS Report*, 21 FCC Rcd at 10950 ¶ 2. There are four nationwide wireless operators serving the continental U.S. -- Sprint Nextel, Verizon Wireless, Cingular Wireless, and T-Mobile -- and numerous regional providers.

[25] *Id.* at 10950-51 ¶ 5, 11029 ¶ 213, and Statement of Chairman Kevin J. Martin at 11060.

[26] *Id.* at 11010 ¶ 158.

[27] *Id.* at 10950-51 ¶ 5.

[28] *Id.* at 11007-08 ¶ 153; *also see* Table 9 at 11042.

[29] *Id.* at 11008 ¶ 154.

[30] "[W]e estimate RPM fell 22 percent between December 2004 and December 2005." *Id.*

[31] *Id.* at 10983-84 ¶ 90.

[32] Previously, Qwest submitted studies in the LEC Nondominant proceeding addressing the magnitude of wireless substitution in Iowa and Utah. *See* Qwest *ex parte*, WC Docket No. 02-112 and CC Docket No. 00-175, dated Nov. 17, 2003.

wireless service for landline service.[33] The Commission's *CMRS Report* cites to different sources that estimate that 6 to12 percent of U.S. households have replaced their landline telephones with wireless service.[34] Moreover, a recent survey also shows that 42 percent of cell phone users said that they also had a landline phone but used their cell phones "most."[35]

The impact of wireless substitution on the demand for second lines is even greater. Clearly, no teenager, or for that matter most adults, would hesitate to give up a second line at home for a cell phone. Demand for second lines has virtually disappeared in many residential areas. The effect of such wireless substitution/competition is clearly contributing to a substantial decline in Qwest's access lines. From December 2000 through September 2006, Qwest's total retail access lines (*i.e.*, both business and residential) in its region decreased by approximately 27 percent, or more than 4.8 million access lines.[36] The reason why wireless substitution (*i.e.*, "cutting the cord") is so important in any competitive analysis of in-region IXC services is because wireline providers like Qwest have virtually no chance of selling in-region IXC services to wireless customers. Once a customer replaces his landline service with wireless service, he is basically a captive customer for long distance calls because wireless providers do not have equal access obligations similar to those of ILECs.

As the Commission observed, "[e]ven when not 'cutting the cord' completely, consumers increasingly are choosing wireless service over traditional wireline service, particularly for certain uses. For example, according to one analyst, customers in nearly a third of American households make at least half their long distance calls at home from their cell phones rather than from their landlines."[37] Again, the Commission's own long distance statistics, described above, confirm that the impact of such wireless substitution on landline carriers has been quite significant -- *i.e.*, the dramatic reductions in residential long distance monthly MOUs and long distance call volumes described above at pages 4 to 5.

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[33] LNP allows customers to change telecommunications carriers and retain their existing telephone numbers.

[34] *CMRS Report* at 11027 ¶ 205.

[35] *Id.* ¶ 206.

[36] Qwest's number of retail access lines decreased from 17,250,000 in December, 2000 to 12,473,000 in September, 2006. *See* Qwest Form 10-K for 2000 and 3Q2006 (filed January 2001 and October 31, 2006). *See also* Qwest Communications International Inc. Form 10-K/A filed Nov. 8, 2004 and Qwest Corporation 10-K/A filed Nov. 15, 2004; Qwest Corporation 10-Q filed Oct. 31, 2006. Some of Qwest's access line losses have been the result of some customers canceling residential second lines when they move from dial-up Internet access to higher speed DSL and cable modem services. However, Qwest believes that this only accounts for a relatively small portion of its access line losses and that the vast majority of its access line losses have been the result of wireless substitution and losses to other competitive providers.

[37] *CMRS Report*, 21 FCC Rcd at 11027 ¶ 206, citing Sebastian Rupley, "The Cellular Home," PC Magazine, Aug. 16, 2005.

In addition to demonstrating that the CMRS marketplace is "effectively competitive," the Commission's *CMRS Report* demonstrates that Qwest cannot possibly have market power in the provision of in-region IXC services.[38] Moreover, since Qwest no longer owns or controls a wireless network, there can be no claim that Qwest can exercise market power through cross-ownership of landline and wireless facilities. Clearly, no worthwhile purpose would be served in regulating Qwest as a dominant carrier in the provision of in-region IXC services, regardless of whether Qwest chooses to provide these services on an integrated basis or through a non-272 subsidiary.

C. Cable and VoIP Competition

Qwest's November 22, 2005 forbearance petition included a discussion of the significance of cable and VoIP competition in the attached declaration of Mr. David Teitzel.[39] At that time, Mr. Teitzel noted that telecommunications services provided by cable companies and other VoIP providers were growing at explosive rates.[40] He also noted that broadband connections (*i.e.*, DSL and cable modem service) necessary to provide VoIP service were also growing at very high rates. More recent data from the Commission indicate that demand for high speed services for Internet access continues to grow at very high rates in Qwest's service area. Table 4, for example, shows that sales of such services in Qwest's service area grew by 35% from the end of 2004 to the end of 2005.[41] Clearly, telecommunications services provided by cable and VoIP providers are substitutes for both Qwest's local exchange services and in-region IXC services.[42]

AT&T and Verizon also presented extensive evidence of the continuation of these trends in more recent forbearance petitions requesting essentially the same relief as Qwest. Much of the evidence in AT&T's and Verizon's petitions is not specific to their regions, but is equally relevant to an assessment of the competition that Qwest faces in the provision of IXC and other services in its region. Rather than simply repeating this information, Qwest requests that information relating to cable and VoIP competition contained in AT&T's and Verizon's petitions be included in the record of this forbearance proceeding.[43] AT&T and Verizon present evidence

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[38] *See* note 20, *supra.*

[39] Teitzel Declaration at 13-17. Mr. Teitzel, Qwest Staff Director – Public Policy, is responsible for analyzing telecommunications competition.

[40] *Id.* at 13.

[41] *See* Table 4, *infra.*

[42] In the *SBC/AT&T Merger Order*, the Commission found that "facilities-based VoIP services clearly fall within the relevant market for local services." *SBC/AT&T Merger Order,* 20 FCC Rcd at 18338-39 ¶ 87.

[43] Qwest requests that the "Memorandum of Points and Authorities in Support of Verizon's Petitions for Interim Waiver or Forbearance," dated Feb. 28, 2006, and Verizon's Reply

that cable and VoIP providers' services are reasonable substitutes for traditional wireline services and that these competitors are rapidly attracting mass market customers. Verizon showed that, as of the end of 2005, cable companies offered VoIP or circuit-switched telephone service to at least 51 percent of all U.S. households and cited research indicating that this figure is expected to increase to 95 percent by the end of 2007.[44] Verizon also cited Commission survey data showing that "approximately 13 percent of the customers that were offered cable telephony were subscribing to the service"[45] and analysts' projections that "cable companies will achieve an overall penetration rate of 15-20 percent within the next five years."[46] AT&T also cited evidence that cable companies and VoIP providers are rapidly winning customers, particularly mass market customers.[47] AT&T notes that cable companies have a significant regulatory advantage in selling bundled service packages, including video, to ILEC customers.[48] AT&T also observes that VoIP has spawned new competition from "over the top" VoIP providers like Vonage and Skype in addition to "facilities-based" providers like cable companies.[49] AT&T cites to studies predicting that competition from VoIP providers will increase significantly with continued growth in broadband penetration and that cable and VoIP providers will account for 28 percent of households' primary lines by 2010.[50] Lastly, AT&T cites to evidence that competition from cable companies is not restricted to residential customers but that cable providers are also actively selling cable telephony services to business customers.[51]

AT&T's and Verizon's petitions further demonstrate that cable and VoIP competition is not a temporary phenomenon, but is a permanent part of the competitive landscape that cannot be ignored. As such, Qwest requests that the Commission take notice of cable and VoIP competition in evaluating Qwest's forbearance petition.

Comments, filed May 1, 2006, both filed in WC Docket No. 06-56 *and* AT&T's Forbearance Petition, filed June 2, 2006 in WC Docket No. 06-120, be included in the record of this proceeding. Qwest attaches as Attachments B, C and D, for the Commission's reference, pages 6-10 and 18-22 of the "Memorandum of Points and Authorities in Support of Verizon's Petitions for Interim Waiver or Forbearance" (Attachment B), pages 5-7 of Verizon's Reply Comments (Attachment C), and pages 6-25 of AT&T's Forbearance Petition, filed June 2, 2006, WC Docket No. 06-120 (Attachment D).

[44] *See* Attachment C at 5.

[45] *Id.*, citing Report on Cable Industry Prices in note 19 of Verizon's Reply Comments.

[46] *See* Attachment B at 8, citing analysts' studies in note 15.

[47] *See* Attachment D at 14-15.

[48] *Id.* at 15.

[49] *Id.* at 16.

[50] *Id.* at 17-18, citing JPMorgan study in note 59.

[51] *Id.* at 23-24.

D. Enterprise and Small Business Customers

As discussed above, Qwest believes that the relevant geographic market for evaluating its petition is the nation as a whole and the relevant product market is all in-region IXC services, including traditional wireline IXC services as well as wireless, cable and VoIP offerings. In other contexts, the Commission has sometimes discussed distinct customer classes for IXC services -- distinguishing between mass market customers and enterprise customers (*i.e.*, large and medium-sized business customers).[52] Qwest does not believe that these customer classes should be analyzed separately for purposes of its petition. However, even if the Commission were to examine enterprise customers separately, Qwest's petition should still be granted.

Indeed, competition among providers of IXC services to enterprise customers in Qwest's region is thriving. The relevant geographic market for enterprise customers is normally viewed as the nation as a whole, given the fact that many enterprise customers have multiple locations throughout the United States and their size and sophistication typically leads them to shop for providers of telecommunications on a nationwide basis.[53] As the Commission has recognized, telecommunications providers typically employ a direct sales force to serve enterprise customers and provide services under individual contracts.[54] Moreover, enterprise customers often have professional telecommunications staffs and frequently employ Requests for Proposal ("RFPs") in making purchasing decisions. Enterprise customers rarely purchase all of their telecommunications services from a single carrier. Even in those cases where enterprise customers deal with a single provider, as noted above, customers frequently contract with a nationwide telecommunications provider (*e.g.*, AT&T, Verizon, Sprint). Therefore, any analysis of market power in provisioning IXC services to enterprise customers should be conducted on a national level rather than at the regional level.

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[52] *LEC Nondominant FNPRM*, 18 FCC Rcd at 10920-21 ¶ 10. *See also, e.g., SBC/AT&T Merger Order*, 20 FCC Rcd at 18323 ¶ 60; *In the Matter of Application of WorldCom, Inc. and MCI Communications Corporation for Transfer of Control of MCI Communications Corporation to WorldCom, Inc.*, CC Docket No. 97-211, Memorandum Opinion and Order, 13 FCC Rcd 18025, 18040 ¶ 24 (1998); *In re Applications of Ameritech Corp., Transferor, and SBC Communications Inc., Transferee, for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, Memorandum Opinion and Order, 14 FCC Rcd 14712, 14746 ¶ 68 and n.146 (1999) ("*Ameritech/SBC Merger Order*"); *In the Matter of Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Omaha Metropolitan Statistical Area*, WC Docket No. 04-223, Memorandum Opinion and Order, 20 FCC Rcd 19415, 19427-28 ¶ 22 (2005), *appeal pending sub nom.* No. 05-1450, *Qwest Corporation v. FCC* (D.C. Cir., Final Briefs filed Nov. 20, 2006).

[53] A significant number of these customers also have international operations -- which gives them even greater leverage in negotiating with telecommunications providers.

[54] *See Ameritech/SBC Merger Order*, 14 FCC Rcd at 14746 ¶ 68 n. 146.

Timely revenue share information related to the provision of IXC services to enterprise customers is not normally publicly available and is obtained from private research firms under contract. Qwest has engaged TNS Telecoms to provide proprietary estimates of the revenue shares of Qwest and other providers for all interLATA services sold to enterprise customers.[55] Table 1, *infra*, contains revenue share estimates both for the nation and for Qwest's region for the third quarter 2006 and for one year earlier. A review of the data in Table 1 demonstrates that Qwest has a relatively small share (as measured by revenues) of interLATA services purchased by enterprise customers regardless of whether the shares are estimated on a national basis or for Qwest's region alone. Table 1 shows that, as of the third quarter of 2006, Qwest was the fourth largest provider of interLATA services to enterprise customers on a national basis with a ---- percent revenue share. Within its own region, Qwest was the second largest provider of interLATA services to enterprise customers with a revenue share of -- percent. Neither national nor regional revenue share data provide any evidence to support a finding that Qwest has market power in serving enterprise customers.[56] To the contrary, the data support exactly the opposite conclusion. That is, that Qwest could not successfully raise its price unilaterally above a competitive level by restricting output and, therefore, Qwest has no market power in providing IXC services to enterprise customers.[57]

Similarly, if the Commission were inclined to look at small business customers within Qwest's region (which are not classified as enterprise customers)[58] as a distinct customer segment, it would find that Qwest has no market power in providing in-region IXC services to those customers. Small businesses are usually restricted to a single location and normally are served through mass market sales channels, as are residential customers. Despite this, one can easily argue that the relevant geographic market is a national market rather than a regional

[55] It was not possible to obtain market share data exclusively for interstate interLATA services, since TNS's survey only distinguishes between intraLATA and interLATA telecommunications expenditures, not between jurisdictions. However, it is Qwest's opinion that interLATA data are a reliable proxy for interstate interLATA data in regions such as Qwest's region where there are relatively few LATAs per state. As such, Qwest believes that the TNS data, which show that Qwest has a very modest share of total interLATA revenues generated from in-region enterprise customers, support a finding that Qwest's share of interstate interLATA enterprise customer revenues is also quite small.

[56] While Qwest does not ascribe to the view that a high market share implies that a carrier possesses market power, Qwest's market shares are so low that no one could assert that Qwest has market power in the provision of IXC services.

[57] *See* note 8, *supra*, concerning Qwest's inability to raise price above a competitive level by increasing competitors' access costs.

[58] Generally, small business customers are considered to be part of the mass market along with residential customers. In Tables 1 and 2, *infra*, small business customers are defined as customers with less than $1500 per month in telecommunications expenditures while enterprise customers are those customers spending $1500 or more per month.

market in performing an analysis of competition and market power. Many small business customers have long-standing business relationships for the purchase of IXC services with nationwide carriers (*e.g.*, AT&T, MCI, Sprint).[59] Furthermore, national advertising, geographic rate averaging (*i.e.*, nationwide pricing) and expanded Internet usage minimize any regional differences and support the proposition that the relevant geographic market for small business customers is a national market.

Regardless of the geographic scope of the analysis, Qwest has a relatively small share of the IXC service revenues generated by small business customers. Table 2 shows that as of the third quarter 2006, Qwest was the fifth largest provider with a ---- percent share of the small business revenues for the nation as a whole and the second largest provider with a -- percent revenue share in its own region. Neither of these revenue share levels provides any support for the argument that Qwest should be treated as a dominant provider in the provision of interLATA services to small business customers and other mass market customers.

II. CONCLUSION

Without question, the forgoing information and the information already on the record in Qwest's forbearance proceeding demonstrates that Qwest has no market power in the provision of IXC services. Clearly, forbearance from the application of the Commission's dominant carrier rules to Qwest in the provision of such services post-sunset is in the public interest.

Sincerely,

/s/ Timothy M. Boucher
/s/ Melissa E. Newman

Attachments –

Table 1 – Share of InterLATA Service Revenues for Enterprise Customers
Table 2 – Share of InterLATA Service Revenues for Small Business Customers
Table 3 – Mobile Wireless Telephone Subscribers
Table 4 – High Speed Lines by State
Attachment A – Competitive Enterprise Institute Ex Parte, WC Docket Nos. 05-65 & 05-75, May 11, 2005.
Attachment B – Verizon Memorandum of Points and Authorities in Support of Verizon's Petitions for Interim Waiver or Forbearance, February 28, 2006 (select pages)
Attachment C – Reply Comments of Verizon, WC Docket No. 05-56, May 1, 2006 (select pages)
Attachment D – Petition of AT&T Inc. for Forbearance, June 2, 2006 (select pages)

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[59] Historically, AT&T, MCI and Sprint provided IXC service to the vast majority of small business and other mass market customers.

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TABLE 1 **SHARE OF INTERLATA SERVICE REVENUES[60] FOR ENTERPRISE CUSTOMERS[61]**

(Data source: TNS Telecoms[62])

Service Area	Provider	Share[63]	
		3Q05	3Q06
Nationwide	Three largest providers[64]	63%	65%
	Qwest	-%	-%
	All others	--%	--%

Note: Qwest is 4th largest carrier in terms of revenue.

Service Area	Provider	Share	
		3Q05	3Q06
Qwest's Region	SBC/AT&T	--%	--%
	Qwest	--%	--%
	All others	63%	54%

Note: Qwest is 2nd largest carrier in terms of revenue.

[60] ATM/frame relay revenues have been excluded from this data since ATM/frame relay revenues included both intraLATA and interLATA revenues. If ATM/frame relay revenues had been included, Qwest's national revenue share would have remained unchanged. However, inclusion of ATM/frame relay revenues would have slightly increased Qwest's revenue share in its region from --% to --% for 3Q05 and --% to --% for 3Q06.

[61] "Enterprise" customers in this research are defined as business customers and government and education customers with a minimum of $1500 in telecommunications spending per month. Thus, this data includes both mid-sized and large business customers while excluding small business customers.

[62] TNS estimates of revenue shares are based on a quarterly telephone survey of approximately 4000 business locations within the 48 contiguous states. The sample is drawn from Dunn & Bradstreet records and is segmented by geography and business location size.

[63] Revenue shares are estimated using a four-quarter moving average and represent the mid-point of a 90% confidence interval. The confidence intervals for Qwest for national share data are +/- 1% for 3Q05 and +/-2% for 3Q06. The confidence intervals for Qwest for Qwest's region are +/- 3% for 3Q05 and +/- 4% for 3Q06. Thus, the 90% range for 3Q06 for Qwest's nationwide revenue share would be -% to -% and the range for Qwest's share within its own region would be --% to --%.

[64] The revenue shares of the largest providers (by revenue) are aggregated into a single revenue share number for display purposes.

TABLE 2 **SHARE OF INTERLATA SERVICE REVENUES[65] FOR SMALL BUSINESS CUSTOMERS[66]**

(Data source: TNS Telecoms[67])

Service Area	Provider	Share[68]	
		3Q05	3Q06
Nationwide	Four largest providers[69]	64%	62%
	Qwest	-%	-%
	All others	--%	--%

Note: Qwest is 5th largest carrier in terms of revenue

Service Area	Provider	Share	
		3Q05	3Q06
Qwest's Region	SBC/AT&T	--%	--%
	Qwest	--%	--%
	All others	52%	42%

Note: Qwest is 2nd largest carrier in terms of revenue.

[65] ATM/frame relay revenues have been excluded from this data since ATM/frame relay revenues included both intraLATA and interLATA revenues. If ATM/frame relay revenues had been included, Qwest's national and in-region revenue shares would have remained unchanged.

[66] "Small Business" customers are defined as business customers and government and education customers with less than $1500 in telecommunications spending per month.

[67] TNS estimates of revenue shares are based on a quarterly telephone survey of approximately 4000 business locations within the 48 contiguous states. The sample is drawn from Dunn & Bradstreet records and is segmented by geography and business location size.

[68] Revenue shares are estimated using a four-quarter moving average and represent the mid-point of a 90% confidence interval. The confidence intervals for Qwest for national share data are +/- 0.4% for 3Q05 and +/- 1% for 3Q06. The confidence intervals for Qwest for Qwest's region are +/- 3% for 3Q05 and +/- 4% for 3Q06. Thus, the 90% range for 3Q06 for Qwest's nationwide revenue share would be -% to -% and the range for Qwest's share within its own region would be --% to --%.

[69] The revenue shares of the largest providers (by revenue) are aggregated into a single revenue share number for display purposes.

TABLE 3 **MOBILE WIRELESS TELEPHONE SUBSCRIBERS**

State	June 2000	December 2005	Difference	% Increase
Arizona	1,624,668	3,849,152	2,224,484	136.92%
Colorado	1,654,989	3,260,286	1,605,297	97.00%
Idaho	296,066	838,095	542,029	183.08%
Iowa	975,629	1,767,830	792,201	81.20%
Minnesota	1,595,560	3,370,196	1,774,636	111.22%
Montana	279,349	526,954	247,605	88.64%
Nebraska	600,885	1,169,068	568,183	94.56%
New Mexico	395,111	1,170,436	775,325	196.23%
North Dakota	245,578	454,456	208,878	85.06%
Oregon	1,082,425	2,417,992	1,335,567	123.39%
South Dakota	278,646	482,623	203,977	73.20%
Utah	692,006	1,531,763	839,757	121.35%
Washington	2,144,767	4,177,196	2,032,429	94.76%
Wyoming	173,939	358593	184,654	106.16%
Total	12,039,618	25,374,640	13,335,022	110.76%

Note: Source of data – FCC Local Telephone Competition Report: Status as of December 31, 2005. Industry Analysis and Technology Division, Wireline Competition Bureau, Table 14, July 2006.

TABLE 4 **HIGH SPEED LINES BY STATE**
(Over 200 kbps in at Least One Direction)

State	December 2004	December 2005	Difference	% Increase
Arizona	750,882	1033018	282,136	37.57%
Colorado	622,611	882614	260,003	41.76%
Idaho	126,121	167926	41,805	33.15%
Iowa	266,794	217973	-48,821	-18.30%
Minnesota	651,934	819157	167,223	25.65%
Montana (1)	72,880	112662	39,782	54.59%
Nebraska	216,780	305124	88,344	40.75%
New Mexico	145,889	204054	58,165	39.87%
North Dakota	47,957	95454	47,497	99.04%
Oregon	510,628	685535	174,907	34.25%
South Dakota	40,286	116291	76,005	188.66%
Utah	238,205	313805	75,600	31.74%
Washington	889,368	1219875	330,507	37.16%
Wyoming (2)	45,602	69805	24,203	53.07%
Total	4,625,937	6,243,293	1,617,356	34.96%

Note: Source of data - High-Speed Services for Internet Access: Status as of December 31, 2005. Industry Analysis and Technology Division, Wireline Competition Bureau, FCC, July 2006. Table 10.

ATTACHMENT A